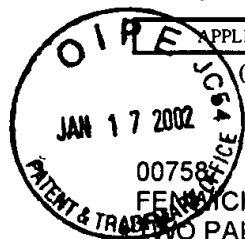




UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/939,206	08/24/2001	James M. Gill	22725-05869

COPY OF PAPERS  
ORIGINALY FILED

CONFIRMATION NO. 3572

FORMALITIES LETTER



\*OC00000006574658\*

00758  
FENNICK & WEST LLP  
TWO PALO ALTO SQUARE  
PALO ALTO, CA 94306

Date Mailed: 09/19/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$225.  
    ▪ \$225 for 25 total claims over 20.
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 645.

01/23/2002 NICHAMM 00000000 10000000 00000000

01 FD:201  
02 FD:203  
03 FD:205  
15.00 14

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



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PATENT

A3

IN THE UNITED STATES

**PATENT AND TRADEMARK OFFICE**

APPLICANTS: James M. Gill *et al.*

APPLICATION NO.: 09/939,206

FILING DATE: August 24, 2001

TITLE: FREIGHT RATE MANAGER

EXAMINER: UNASSIGNED

GROUP ART UNIT: 2162

ATTY. DKT. NO.: 22725-05869

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Missing Parts, Commissioner For Patents, Washington, DC 20231, on the date shown below:

Dated: November 16, 2001

By:

Brian M. Hoffman, Reg. No. 39,713

BOX MISSING PARTS  
COMMISSIONER FOR PATENTS  
WASHINGTON, DC 20231

**RESPONSE TO NOTICE TO FILE MISSING  
PARTS OF APPLICATION**

SIR:

Responsive to the Notice to File Missing Parts dated September 19, 2001 received in the above-identified patent application,

☒ Enclosed are:

- ☒ a copy of the Notice to File Missing Parts;
- ☒ an original, signed Declaration;
- ☒ an original, signed Power of Attorney or Authorization of Agent;
- ☐ an Application Data Sheet;

☒ payment in the amount of \$645.00 for the

☒ application filing fee;

☒ fee for additional claims; and

☒ missing parts surcharge.

☐ Other

☒ Applicant claims small entity status under 37 C.F.R. § 1.27.

Respectfully submitted,

JAMES M. GILL *et al.*

Dated: November 16, 2001

By: 

Brian M. Hoffman, Reg. No. 39,713

Attorney for Applicants

Fenwick & West LLP

Two Palo Alto Square

Palo Alto, CA 94306

Tel.: (415) 875-2484

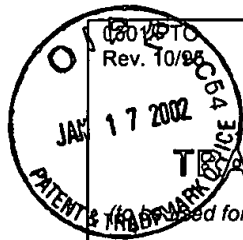
Fax: (415) 281-1350

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PTO/SB/21 (modified)

Approved for use through xx/xx/xx, OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE



U.S. Department of Commerce Patent and Trademark Office		Application Number	09/939,206
		Filing Date	August 24, 2001
		First Named Inventor	James M. Gill et al.
		Group Art Unit Number	2162
		Examiner Name	UNASSIGNED
Total Number of Pages in This Submission	10	Attorney Docket Number	22725-05869

**ENCLOSURES (check all that apply)**

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form (in duplicate)<br><input checked="" type="checkbox"/> Check Enclosed<br><input checked="" type="checkbox"/> Return Receipt Postcard<br><input checked="" type="checkbox"/> Response to Notice to File Missing Parts<br><input checked="" type="checkbox"/> Copy of Notice to File Missing Parts<br><input checked="" type="checkbox"/> Declaration<br><input checked="" type="checkbox"/> Power of Attorney<br><input type="checkbox"/> Application Data Sheet<br><input type="checkbox"/> Information Disclosure Statement & PTO-1449<br><input type="checkbox"/> Copies of IDS Cited References<br><input type="checkbox"/> Request for Corrected Filing Receipt<br><input type="checkbox"/> Request for Correction of Recorded Assignment<br><input type="checkbox"/> Amendment/Response: [ ] Page(s)<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Status Request<br><input type="checkbox"/> Revocation and Substitute Power of Attorney | <input type="checkbox"/> Issue Fee Transmittal<br><input type="checkbox"/> Letter to Chief Draftsperson<br><input type="checkbox"/> Formal Drawing(s):<br>[ ] Sheet(s) of Figure(s) [ ]<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group<br>(Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> After Allowance Communication to Group<br><input type="checkbox"/><br><input type="checkbox"/><br><input type="checkbox"/><br><input type="checkbox"/><br><input type="checkbox"/><br><input type="checkbox"/> |
|--|---|

REMARKS:

**SIGNATURE OF ATTORNEY OR AGENT**

Signature:			
Attorney/Reg. No.:	Brian M. Hoffman, Reg. No. 36,713	Dated:	November 16, 2001

**CERTIFICATE OF MAILING**

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Signature:			
Typed or Printed Name:	Brian M. Hoffman	Dated:	November 16, 2001
Express Mail Mailing Number (optional):			



CCNY-0001783  
C.N.

PTO/SB/17 (10-01)(modified)  
Approved for use through 09/29/01, OMB 0651-0032  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

0002/PTO(modified) Rev. 10/2000	U.S. Department of Commerce Patent and Trademark Office	<b>Complete if Known</b>	
		Application Number	09/939,206
		Filing Date	August 24, 2001
		First Named Inventor	James M. Gill <i>et al.</i>
		Group Art Unit	2162
		Examiner Name	UNASSIGNED
<b>FEE TRANSMITTAL</b>		Attorney Docket Number	22725-05869
<b>TOTAL AMOUNT OF PAYMENT</b>			
Subtotal (1) + Subtotal (2) + Subtotal (3) =		(\$) <b>645.00</b>	

METHOD OF PAYMENT		FEE CALCULATION (continued)			
<b>1. The Commissioner is hereby authorized to:</b>		<b>3. ADDITIONAL FEES</b>			
<input type="checkbox"/> Charge the indicated fees to the below mentioned deposit account.		<b>Large Entity</b>	<b>Small Entity</b>	<b>Fee Description</b>	<b>Fee Due</b>
<input checked="" type="checkbox"/> Charge any additional fee required under 37 CFR 1.16 - 1.21 or credit any over payments to the below mentioned deposit account. <sup>†</sup>		Fee Code/Fee	Fee Code/Fee		
<input checked="" type="checkbox"/> Applicant claims small entity status See 37 CFR 1.27		105/\$130	205/\$65	Surcharge - late filing fee or oath	<b>65</b>
Deposit Account Number: 19-2555		127/\$50	227/\$25	Surcharge-late provisional filing fee or cover sheet	
Deposit Account Name: FENWICK & WEST LLP		147/\$2,520	147/\$2,520	For filing a request for reexamination	
A Duplicate Copy of this authorization is attached		115/\$110	215/\$55	Extension for response within first month <sup>†</sup>	
<b>2. <input checked="" type="checkbox"/> Payment Enclosed:</b>		116/\$400	216/\$200	Extension for response within second month <sup>†</sup>	
<input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Other		117/\$920	217/\$460	Extension for response within third month <sup>†</sup>	
<b>FEE CALCULATION (fees effective 10/01/2000)</b>		118/\$1,440	218/\$720	Extension for response within fourth month <sup>†</sup>	
<b>1. FILING FEE</b>		128/\$1,960	228/\$980	Extension for response within fifth month <sup>†</sup>	
<b>Large Entity</b>		119/\$320	219/\$160	Notice of Appeal	
<b>Small Entity</b>		141/\$1,280	241/\$640	Petition to revive unintentionally abandoned application	
Fee Code/Fee		142/\$1,280	242/\$640	Utility Issue Fee (Or Reissue)	
Fee Description		143/\$460	243/\$230	Design Issue Fee	
Fee Due		122/\$130	122/\$130	Petitions to the Commissioner	
101/\$740		126/\$180	126/\$180	Submission of Information Disclosure Statement	
106/\$330		179/\$740	279/\$370	Request for Continued Examination (RCE)	
108/\$740		581/\$40	581/\$40	Recording each patent assignment per property (times number of properties)	
114/\$160		146/\$740	246/\$370	Filing a submission after final rejection (37 CFR 1.129(a))	
<b>SUBTOTAL (1) (\$)<b>355</b></b>		149/\$740	249/\$370	For each additional invention to be examined (37 CFR 1.129(b))	
<b>2. CLAIMS</b>		Other fee (specify):			
<b>Large Entity</b>		Other fee (specify):			
<b>Small Entity</b>		<b>SUBTOTAL (3) (\$)<b>65</b></b>			
Fee Code/Fee					
Fee Description					
Fee Due					
103/\$18		Claims in excess of 20			
102/\$84		Independent claims in excess of 3			
104/\$280		Multiple dependent claim			
109/\$84		Reissue independent claims over original patent			
110/\$18		Reissue claims in excess of 20 and over original patent			

(Col. 1)		(Col. 2)		(Col. 3)					
For	No. of Existing Claims	minus*	Highest No. Previously Paid For	=	Extra**	x	Fee	=	Fee Due
TOTAL	45	minus*	20 or 0	=	25	x	9	=	225
INDEP	3	minus*	3 or 0	=	0	x	42	=	0
[ ] First presentation of multiple dependent claim									

\* Subtract the greater number of Col. 2  
\*\* If the difference between Col. 1 and Col. 2 is less than zero, then enter "0" in Col. 3

**SUBTOTAL (2) (\$)**225****

<b>SUBMITTED BY</b>		<b>Complete (if applicable)</b>	
Typed or Printed Name	Brian M. Hoffman	Reg. Number	39,713
Signature		Date	November 16, 2001